

to; providing for a board of trustees; raising of revenue by taxation; issuing bonds and maintaining public free schools therein; vesting all lands, buildings and other property owned and held for public free school purposes in said district; providing that all outstanding bonded indebtedness of the Pennington Common County Line District No. 30 of said counties shall be validated and made a valid obligation against the Pennington County Line School District of Trinity and Houston counties, Texas; and declaring valid a maintenance and bond tax heretofore voted by said Pennington Common County Line School District, and declaring an emergency."

H. B. No. 98, "An Act extending the boundaries of the Trinity Independent School District, enlarging the same and defining its boundaries, and providing that the management and control of all public free schools within said enlarged district shall be vested in the present board of public school trustees of the Trinity Independent School District and their successors in office, as now provided in the general laws of the State of Texas, and conferred upon boards of public school trustees of independent school districts; and providing that such added land and territory shall not be in any manner subjected to the payment of any portion of the bonded indebtedness now outstanding against the present Trinity Independent School District, the district as it existed prior to the enlargement thereof prior to the passage of this act, and providing that none of the land, territory and property by this act added to said Trinity Independent School District shall be subjected to the payment of any portion of the local maintenance tax now levied, assessed and collected in said district, except in so far as the same may have been heretofore levied and assessed by a vote of the people in said added territory as now provided by the general laws of this State, or as may hereafter be voted by the people of said enlarged district, as provided by the general laws of this State, and investing said Trinity Independent School District with all the powers, rights and duties of independent school districts, incorporated for free school purposes only, as now provided by the general laws of this State for such districts, naming the fiscal year as to taxes and declaring an emergency."

H. B. No. 124, "An Act amending Chapter 57, Section 2, Local and Special Laws of the State of Texas, passed at the Third Called Session of the Thirty-

sixth Legislature, approved June 17, 1920, creating the Blythe County Line Independent School District in Gaines, Terry and Yoakum counties, by redefining and correcting the boundaries of said Blythe County Line Independent School District and declaring an emergency."

H. B. No. 130, "An Act creating the El Jardin Independent School District in Cameron county, Texas, and defining its boundaries; providing for the election and qualification of a board of trustees therefor; providing for the selection of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only, and declaring an emergency."

H. B. No. 133, "An Act creating the Carrizo Springs Independent School District of Dimmit county; defining its metes and bounds, vesting it with the rights and powers, duties and privileges of districts incorporated for school purposes only under the general laws; providing that all outstanding bonded indebtedness of Carrizo Springs Common School District No. 1 of Dimmit county, Texas, shall be validated and made a valid obligation against the Carrizo Springs Independent School District of Dimmit county, Texas; providing for a board of trustees therefor, and declaring an emergency."

Have carefully compared same and find them correctly enrolled, and have this day, at 10:50 o'clock a. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

TWENTY-SECOND DAY.

(Wednesday, February 9, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Barrett of Fannin.
Aiken.	Bass.
Baker.	Beasley
Baldwin.	of Hopkins.
Barker.	Beasley
Barrett of Bell.	of McCulloch.

Beavens.	McCord.
Black, O. B.,	McFarlane.
of Bexar.	McKean.
Black, W. A.,	McLeod.
of Bexar.	Martin.
Bonham.	Marshall.
Brady.	Mathes.
Branch.	Melson.
Brown.	Menking.
Bryant.	Merriman.
Burkett.	Miller of Dallas.
Burmeister.	Miller of Parker.
Burns.	Morgan.
Carpenter.	Moore.
Childers.	Morris of Medina.
Chitwood.	Morris
Coffee.	of Montague.
Cox.	Mott.
Crawford.	Neblett.
Crumpton.	Owen.
Cummins.	Patman.
Curtis.	Perkins
Darroch.	of Cherokee.
Davis, John E.,	Perkins of Lamar.
of Dallas.	Perry.
Davis, John,	Pollard.
of Dallas.	Pope.
Dinkle.	Quaid.
Duffey.	Quicksall.
Duncan.	Quinn.
Edwards.	Rice.
Estes.	Rogers of Shelby.
Faubion.	Rosser.
Fly.	Rountree.
Fugler.	Rowland.
Garrett.	Satterwhite.
Greer.	Schweppe.
Grissom.	Seagler.
Hall.	Shearer.
Hanna.	Sims.
Hardin.	Smith.
Harrington.	Sneed.
Harrison.	Stephens.
Henderson	Stevenson.
of McLennan.	Stewart
Henderson	of Edwards.
of Marion.	Stewart of Reeves.
Hendricks.	Swann.
Hill.	Sweet of Brown.
Horton.	Sweet of Tarrant.
Johnson of Ellis.	Teer.
Johnson	Thomason.
of Wichita.	Thompson
Jones.	of Harris.
Kacir.	Thompson
Kellis.	of Red River.
King.	Thrasher.
Kveton.	Veatch.
Lackey.	Wadley.
Laird.	Walker.
Laney.	Wallace.
Lauderdale.	Webb.
Lawrence.	Wessels.
Leslie.	West.
Lindsey.	Williams
Looney.	of McLennan.

Williams	Wright.
of Montgomery.	

Absent.

Malone.	Neinast.
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Absent—Excused.

Binkley.	Rogers of Harris.
Johnson	Thomas
of Gillespie.	of Limestone.
McDaniel.	Thorn.
Pool.	Westbrook.

A quorum was announced present.

Prayer was then offered by Rev. D. E. Hawk, Presiding Elder of the Austin District of the Methodist Church.

LEAVE OF ABSENCE GRANTED.

Mr. Thorn was excused indefinitely on account of sickness, on motion of Mr. Duffey.

BILL ORDERED NOT PRINTED.

On motion of Mr. Fly, it was ordered that House bill No. 314 be not printed.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Patman, Mr. Fly and Mr. Harrison:

H. B. No. 419, A bill to be entitled "An Act for the creation of road districts including one or more existing road districts and other territory in addition thereto, and for the issuance of bonds by such districts; providing for including within such districts any part of a road district or districts that overlap a levee district, drainage district or any other district created under the laws passed pursuant to Section 52, Article 3, of the Constitution, and for the payment of bonded debts incurred by such road districts so encroached upon; providing for the construction and maintenance of roads outside the limits of a road district; providing that any county or road district acting under the provisions of Section 52, of Article 3, of the Constitution may create indebtedness for the purpose of maintaining roads upon a vote of a two-thirds majority of the resident property taxpayers voting of such county operating under a special road law may avail itself of the provisions of this act; and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Sneed:

H. B. No. 420. A bill to be entitled "An Act creating the Prosper Independent School District in Collin and Denton counties, Texas; defining its boundaries, including the present Prosper Independent School District; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that any territory taken from any other school districts shall remain chargeable with its pro rata part of any outstanding indebtedness, and declaring an emergency."

Referred to Committee on Education.

By Mr. Satterwhite:

H. B. No. 421. A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1922, and ending August 31, 1923, as follows, to-wit: State Orphan Home, Confederate Woman's Home, Confederate Home, Epileptic Colony, Deaf, Dumb and Blind Institute for Colored Youths; State Institution for the Training of Juveniles, Girls' Training School, Tuberculosis Sanatorium, Carlsbad, State Lunatic Asylum, State Pasteur Institute, Southwestern Insane Asylum, North Texas Hospital for the Insane, East Texas Hospital for Insane, State Hospital for Crippled Children, State Farm Colony for Feeble-Minded, State Home for Dependent and Neglected Children, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Chitwood:

H. B. No. 422. A bill to be entitled "An Act to amend Article 5333, Revised Civil Statutes of 1911, relating to custody of county surveyors, to leave the records of his office in the custody of the county clerk whenever such surveyor absents himself from his office without leaving a qualified deputy surveyor in charge of the records, and declaring an emergency."

Referred to Committee on Counties.

RESOLUTION RECOMMENDED.

On motion of Mr. Baldwin, by unanimous consent, House joint resolution No. 5 was recommitted to the Committee on Constitutional Amendments.

BILL ORDERED PRINTED.

On motion of Mr. Henderson of Marion, it was ordered that House bill No. 361, with minority favorable and majority adverse report, be printed.

NOTICE GIVEN.

Mr. Curtis gave notice that he would on tomorrow call up for consideration at that time House bill No. 70, which bill has heretofore been read second time and laid on the table subject to call.

INVITING COL. ALVIN M. OWSLEY TO ADDRESS THE HOUSE.

Mr. Pollard offered the following resolution:

Whereas, The Committee on State Eleemosynary and Reformatory Institutions has reported Senate bill No. 134 back to the House unanimously with recommendation that it do pass; and

Whereas, Other legislation of this character is pending and it is desired that the House have all the information available; and

Whereas, Colonel Alvin M. Owsley, a former member of the Thirty-third Legislature and Assistant Attorney General, and First Assistant National Director of Americanism of the American Legion of the United States, is now in Austin and will leave tonight to assume his duties in Washington; therefore, be it

Resolved, That Colonel Owsley be invited to address the Legislature upon this important measure and such other matters as it may be his pleasure to present to the House at 2 p. m. today.

Signed—Pollard, Lauderdale, Sneed, Rice, Moore, Lindsey, Thompson, Williams of Montgomery, Edwards, O. B. Black of Bexar, Smith, Johnson of Wichita, Adams, Hardin, Lackey, Brady.

The resolution was read second time and was adopted.

RELATING TO FLAG OF HOOD'S BRIGADE.

Mr. Horton offered the following resolution:

Whereas, There is now in the State Library the old battle flag of the First Texas Regiment of Hood's Brigade of the Confederacy; and

Whereas, This flag was made and pre-

sented to the regiment in 1861 by Miss Lulu Wigfall of Marshall, Texas, whose father, Louis T. Wigfall, was the first colonel of said regiment; the stars on said flag having been cut from the wedding dress of Miss Wigfall's mother; and

Whereas, The regiment bearing this flag was engaged in battle by 12,000 Union troops and thirty-six pieces of artillery playing on said regiment at close range at Sharpsburg, Maryland, September 17, 1862, making it impossible for this regiment to advance, and because of their intrepid valor and patriotism they would not fall back, thereby suffering annihilation at their post of duty; and

Whereas, After said battle this flag shot to threads was found beneath the bodies of sixteen brave Texas soldiers who died in its defense; and

Whereas, It is desired to preserve this flag as a permanent memorial to those brave heroes who died in its defense; therefore, be it

Resolved, That the Speaker of the House appoint a committee of three to have this flag placed in a proper frame enclosed with glass and to have a proper history of the flag prepared and included in the frame for permanent preservation and that said flag be placed on the walls of this House of Representatives, and there is hereby appropriated out of the contingent expense fund of the House the sum of one hundred dollars, or so much thereof as may be needed, to be used for the purposes herein mentioned.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 8, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 84, A bill to be entitled "An Act to amend Article 7797, of Chapter 1, Title 130, of the Revised Civil Statutes of the State of Texas, pertaining to trusts and conspiracies against trade, so as to permit one corporation under the terms and upon the conditions of said article set out, and declaring an emergency."

S. B. No. 90, A bill to be entitled "An Act to exempt from taxation all property belonging to art leagues and

societies of fine arts, whether incorporated or not, which are devoted wholly and without charge to the promotion of education and learning and not for profit, and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act creating the Leaky Independent School District, in Real county, Texas, providing a board of trustees therefor, vesting it with all the rights, powers and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

S. B. No. 139, A bill to be entitled "An Act repealing Chapter 21 of Local and Special Laws of the Thirty-sixth Legislature of the State of Texas, passed at its Regular Session in 1919, being 'An Act to incorporate Cam City Independent School District, in Gillespie county, Texas, providing for the exercise of all powers and privileges incident and belonging to independent school districts, and declaring an emergency,' repealing said Chapter 21, and declaring an emergency."

S. B. No. 151, A bill to be entitled "An Act to amend Section 2, of Chapter 8, Special Laws of the Thirty-sixth Legislature, enacted at its Fourth Called Session, redefining the boundaries of the Eagle Lake Independent School District; the said amendment providing for redefining the boundaries of said district, and providing for the extension of said district and the annexation of adjacent territory thereto, and declaring an emergency."

S. B. No. 194, A bill to be entitled "An Act amending Section 20, of Chapter 68, of the Local and Special Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session, by providing that the board of trustees of Pharr-San Juan Independent School District may employ an attorney to represent the said district in the enforcement of its lien for taxes; providing compensation for such services to such attorney; repealing all laws in conflict herewith, and declaring an emergency."

Has adopted adverse majority report on

S. B. No. 36, A bill to be entitled "An Act to regulate domestic relations by prescribing prerequisites to the issuance of license to marry, and by prescribing procedure in suits for divorce and to annul marriage, and by prescribing means and procedure for the enforcement of the obligation of the father of legitimate minor children for their support and maintenance, and declaring an emergency."

And has refused to pass to engrossment

S. B. No. 103, A bill to be entitled "An Act increasing the salary of the official shorthand reporter of the Twenty-second Judicial District of Texas nine hundred dollars (\$900); providing the manner of the payment of such increase of salary, and declaring an emergency."

Respectfully,

A. W. HOLT.

Assistant Secretary of the Senate.

RELATING TO REMOVAL OF UNIVERSITY.

The Speaker laid before the House, as unfinished business, for consideration at this time,

H. C. R. No. 17, Authorizing the Board of Regents of the University of Texas to prepare a statement of the buildings needed upon the respective sites of the present campus, and lands adjacent thereto; and also the possibilities of the development of the Brackenridge tract of land, and to publish such facts in bulletin form, and furnish printed copy to each member of the Thirty-seventh Legislature.

The resolution having been read second time on yesterday.

Mr. Perkins of Cherokee offered the following amendment to the resolution:

Amend resolution by adding at the end of Section 1, page 401 of the Journal, the following: "And also to investigate and report what additional lands contiguous to or near the present holdings of the present University, fairly adapted to the present and future needs of the University can be purchased, and the price at which such lands may be obtained."

Mr. Dinkle offered the following substitute for the amendment:

Strike out Sections 1, 2, 3 and 4 and substitute the following:

"That the Governor of the State be and he is hereby authorized and directed to appoint a committee of five, two of whom shall be selected from the Board of Regents of the University of Texas and three to be chosen by him at will, to make a survey at once of the present University site and available adjacent lands thereto; to look over the proposed Brackenridge site west of Austin and any other available sites on which, in their judgment, a permanent university can be built, and that said committee shall prepare and report their recommendations back to the Thirty-seventh

Legislature for their consideration not later than February 25, 1921."

Signed—Dinkle, Thomason.

Mr. Curtis moved to refer the resolution to the Committee on Education.

Mr. Cox moved to refer the resolution to the Committee on Appropriations.

Mr. Curtis accepted the motion of Mr. Cox.

Mr. Williams of McLennan moved the previous question on the pending motions and the resolution, and the motion was lost.

Question—Shall the resolution be referred to the Committee on Appropriations?

RECESS.

On motion of Mr. Jones, the House, at 12 o'clock m., took recess to 2:30 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2:30 o'clock p. m., and was called to order by Speaker Thomas.

SPECIAL ORDER SET.

On motion of Mr. Williams of McLennan, House bill No. 192, relating to the classification of cotton by cotton buyers, was set as a special order for 10 o'clock a. m., Thursday, February 10.

ADDRESS BY COLONEL ALVIN M. OWSLEY.

In accordance with the provisions of a resolution, heretofore adopted, inviting Colonel Alvin M. Owsley to address the House, the Speaker appointed Mr. O. B. Black of Bexar, Mr. Fly, Mr. Williams of McLennan, Mr. Adams, and Mr. Satterwhite as a committee to escort Colonel Owsley to the Speaker's stand.

The committee having performed their duty, the Speaker introduced Colonel Owsley to the House.

Colonel Owsley then addressed the House.

MESSAGES FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 9, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 117, A bill to be entitled

"An Act to provide for the extension of time in which to develop oil and gas under permits heretofore issued under the Mineral Act of 1917 upon islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas within tide water limits and that portion of the Gulf of Mexico within the jurisdiction of Texas."

S. B. No. 149, A bill to be entitled "An Act providing that a person, firm or corporation, engaged in the dairying business, or in the distribution or sale of milk, may file in the office of the county clerk name, trade mark, design, etc., used, and cause publication of same in a newspaper, and thereby acquire exclusive use of such name, etc.; and regulating the use and sale of trade name, trade mark, etc., and properly marked with same, and providing penalties."

S. B. No. 158, A bill to be entitled "An Act creating and incorporating the Yorktown Independent School District in DeWitt county, Texas, containing the present Yorktown Independent School District and additional territory described in the field notes herein; providing that the school property be vested in such independent school district and that it assume all outstanding obligations of the school districts in the district created by this act; providing for a board of trustees for said district, defining their powers and duties; defining the boundaries of said district, and declaring an emergency."

S. B. No. 179, A bill to be entitled "An Act creating the Luling Independent School District in Caldwell county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its boards of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing for the election of a board of trustees and for their successors in office; providing for an assessor and collector of taxes and board of equalization; conferring upon said district the authority to extend its boundaries, and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

Senate Chamber,

Austin, Texas, February 9, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

H. B. No. 28, A bill to be entitled "An Act for the protection of stock-raisers and farmers; providing for the destruction of depredating wild animals; making an appropriation therefor, and providing the method how it shall be expended; to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 42, A bill to be entitled "An Act putting into effect amended Section 4, of Article 11, of the Constitution relating to cities and towns having a population of five thousand or less, and amending Section 5, of Article 11, of the Constitution relating to cities having more than five thousand inhabitants and not having special charters; providing for the levying, assessment and collection of taxes by such cities; providing for the issuance of bonds by such cities, payable out of said taxes; validating certain bond elections; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

And has adopted House Concurrent Resolution No. 15, Granting leave of absence to Judge J. H. McLean.

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

RELATING TO REMOVAL OF UNIVERSITY.

The House resumed consideration of pending business, same being H. C. R. No. 17, relating to the removal of the University, with amendment by Mr. Perkins of Cherokee and substitute by Mr. Dinkle for the amendment and motion by Mr. Cox to refer the resolution and amendments to the Committee on Appropriations, pending.

Question first recurring on the motion by Mr. Cox to refer the resolution to the Committee on Appropriations, it prevailed.

BILL ORDERED NOT PRINTED.

On motion of Mr. Morris of Montague, it was ordered that House bill No. 390 be not printed.

RELATING TO REMOVAL OF UNIVERSITY.

The Speaker laid before the House, as unfinished business, for consideration at this time,

H. C. R. No. 18, Providing for sub-

mission to a vote of the qualified electors of the State of Texas, the proposition of relocating the University of Texas, and determining a permanent location of said institution; fixing the date for such election and prescribing the form of ballot therein; directing the Governor of the State to issue the necessary proclamation; providing for a second election in the event no place voted on receives a majority vote, and making an appropriation to carry out the provisions of this resolution.

The resolution having been read second time on Monday, February 7.

On motion of Mr. Williams of McLennan, the resolution was referred to the Committee on Appropriations.

SENATE BILL NO. 38 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 38, A bill to be entitled "An Act creating, establishing and providing for the maintenance of a State Tuberculosis Sanatorium for Negroes, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 158 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 158, A bill to be entitled "An Act making appropriations to cover authorized deficiencies in appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1920, and August 31, 1921, respectively, and declaring an emergency."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 44 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 44, A bill to be entitled "An Act to require persons owning, keeping, maintaining, controlling or managing hotels, inns, public lodging houses or places where sleeping and eating accommodations or sleeping accommodations only are furnished to the public, to post in a conspicuous place in the office the plan upon which the hotel is operated and a list of its charges for rooms, with or without meals, and to

post in each room a placard giving the exact rate of that room, with and without meals; defining hotels; and providing penalties for violation of the provisions hereof, and declaring an emergency."

The bill was read second time.

Mr. John Davis of Dallas offered the following amendment to the bill:

Amend Senate bill No. 44 by striking out the enacting clause.

Mr. Johnson of Wichita offered the following amendment to the bill:

Change the period at end of line 39, page 1, to a semicolon and add hereafter the words "provided further, that no change may be made in such rates before 30 days' notice has been given by posting such notices in the same manner as required in this act."

Question first recurring on the amendment by Mr. John Davis of Dallas, striking out the enacting clause of the bill, it was adopted.

Mr. John Davis of Dallas moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 45 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 45, A bill to be entitled "An Act repealing Article 7380, Title 126, Chapter 2, Revised Civil Statutes, 1911, providing for the payment of an occupation tax by individuals, companies, corporations and associations in this State selling pistols, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to third reading?

Mr. Rountree raised a point of order on further consideration of the bill at this time on the ground that the time for consideration of local bills has arrived.

The Speaker sustained the point of order.

HOUSE BILL NO. 284 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 284, A bill to be entitled "An Act creating the Leakey Independent School District in Real county, Texas; providing a board of trustees

therefor; vesting it with all the rights, powers and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 317 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 317, A bill to be entitled "An Act authorizing the commissioners court of Scurry county to validate the sale of a certain block of land in the town of Snyder in this State, known as Block 25, and shown on the recorded plat of the original town of Snyder in Scurry county of record in Book 1, at page 358, of the deed records of said county; authorizing the commissioners court of said county to execute a deed of confirmation, without the necessity of public advertisement and public sale, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 327 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 327, A bill to be entitled "An Act to amend Section 3 of Chapter 91 of the General Laws of the State of Texas, passed by the Thirty-fifth Legislature at its Regular Session, to fix the time for holding the terms of the district court in the various counties composing the Eighty-first Judicial District of Texas; to repeal all laws and parts of laws in conflict with this act."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 357 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 357, A bill to be entitled "An Act to amend Section 12 of Chapter 95 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, which was an act to create a road system for Navarro county, Texas, so as to more particularly define the membership of the boards of permanent road com-

missioners for road districts created in Navarro county, Texas."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 358 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 358, A bill to be entitled "An Act to reorganize the Sixty-third and Eighty-third Judicial Districts of the State of Texas, and to prescribe the time and fix the terms of holding the courts in each of said judicial districts; and to conform all writs and process from such courts to such changes; and to make all process issued or served before this act takes effect, including recognizances and bonds returnable to the terms of the courts in the several districts as herein fixed, and to validate process and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 363 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 363, A bill to be entitled "An Act to create a more efficient and better road system for Brazos county, Texas; making county commissioners ex-officio road commissioners of their respective precincts; prescribing their duties of road overseers; providing a compensation of \$2.00 per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurer; providing for summoning of persons liable for road duty; providing that any person liable for road duty any year shall be exempt upon the payment of \$6.00 into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing for the condemning of any land necessary for road purposes; providing this act is cumulative of the general laws, and fixing penalties, and declaring an emergency."

The bill was read second time.

Mr. Rountree offered the following amendment to the bill:

Amend the bill by making the amount

"\$5.00" instead of "\$6.00" in the bill and caption.

The amendment was adopted.

House bill No. 363 was then passed to engrossment.

HOUSE BILL NO. 367 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment.

H. B. No. 367, A bill to be entitled "An Act creating the Mount Pisgah Independent School District No. 2 in Tyler county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; providing for the election of a board of trustees, and for their successors in office, and declaring an emergency."

The bill was read second time.

On motion of Mr. Lindsey, the bill was laid on the table subject to call.

HOUSE BILL NO. 247 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 247, A bill to be entitled "An Act creating a more efficient road system for Tyler county, Texas; providing that each commissioner of the same shall be ex-officio road commissioner of his precinct; providing for an inspection of roads, bridges and culverts by said commissioners; providing for bonds, compensation and duties, and providing for the work of delinquent poll tax payers on the public roads and relieving them from the performance of said road work by the payment of \$5.00; providing that the commissioners court shall have power to build roads, bridges, culverts, etc., by private contract; providing that the commissioners court may employ a superintendent who shall be an experienced civil engineer in road building; providing penalties for the violation of this act, and this act shall be cumulative of all general laws of this State not in conflict herewith: repealing Chapter 82, Special Laws, passed by the Thirty-second Legislature, and declaring an emergency."

The bill was read third time.

Mr. Lindsey offered the following amendment to the bill:

Amend House bill No. 247, page 3,

Section 3, by striking out all after "commissioners court," down to the semicolon, and insert in lieu thereof the following:

"Each commissioner, in addition to other duties required of him by law, shall superintend and inspect the public roads, bridges, culverts and all the property belonging to the county in his precinct, and perform the duties required of him as road commissioner, and by order of the commissioners court. For such services he shall receive, in addition to the fees now allowed by law, the salary of \$1,200, to be paid out of the general funds of the county, on order of the commissioners court, in monthly installments, for which each of said commissioners shall file his claim, under oath, stating that he has faithfully performed the duties of road commissioner, and that he was actually employed at least ten days during such month as such county road commissioner, and in making the required report. But in no event shall warrant issue until all reports required under the provisions of this Chapter have been duly made, and a verified account required hereby have been made, and the county judge shall countersign all such salary warrants after he has ascertained that the provisions of this section have been met."

Mr. Miller of Dallas moved a call of the House for the purpose of maintaining a quorum pending consideration of local bills, and the motion was lost.

On motion of Mr. Burmeister, the bill was recommitted to the Committee on Roads, Bridges and Ferries.

RELATING TO HOUSE BILL NO. 93.

Mr. Owen called up for consideration at this time House bill No. 93, relating to Fayette County Independent School District, which bill has heretofore been laid on the table subject to call.

Mr. Wessels raised a point of order on consideration of the bill at this time on the ground that no notice has been given that the bill would be called up for consideration today.

The Speaker sustained the point of order.

NOTICES GIVEN.

Mr. Owen gave notice that he would on tomorrow call up for consideration at that time House bill No. 93, which bill has heretofore been read second time and laid on the table subject to call.

Mr. Quinn gave notice that he would

on tomorrow call up for consideration at that time House bill No. 120, which bill has heretofore been read second time and laid on the table subject to call.

Mr. West gave notice that he would on tomorrow call up for consideration at that time House bill No. 30, which bill has heretofore been read second time and laid on the table subject to call.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Pope, it was ordered that Senate bill No. 170 be not printed.

On motion of Mr. Bonham, it was ordered that House bill No. 344 be not printed.

BILL RE-REFERRED.

On motion of Mr. Stewart of Edwards, House bill No. 387 was withdrawn from the Committee on Appropriations and referred to the Committee on Education.

RECESS.

On motion of Mr. Owen, the House, at 5:20 o'clock p. m., took recess until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills, as follows:

Criminal Jurisprudence: House bills Nos. 350, 314, 300, 264, 334; Senate bills Nos. 104, 59.

Live Stock and Stock Raising: House bills Nos. 356, 397.

Judicial Districts: House bill No. 319.

Judiciary: House bills Nos. 163, 273, 272, 166, 357, 374.

Education: Senate bill No. 170; House bill No. 390.

Eleemosynary and Reformatory Institutions: Senate bill No. 134.

Constitutional Amendments: House joint resolutions Nos. 19, 22; Senate joint resolution No. 4.

Oil, Gas and Mining: House concurrent resolution No. 19.

Public Health: Senate bills Nos. 128, 404; House bill No. 377.

Counties: House bills Nos. 250, 55.

Appropriations: House bill No. 245.

Roads, Bridges and Ferries: House bills Nos. 363, 357, 346, 344.

The following standing committees filed adverse reports today on bills, as follows:

Municipal and Private Corporations: House bill No. 114.

Live Stock and Stock Raising: House bills Nos. 389, 326, 86.

Judicial Districts: House bills Nos. 159, 80.

Roads, Bridges and Ferries: House bill No. 274.

Judiciary: House bills Nos. 144, 208, 321, 212, 197, 287.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 8, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 46, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Thirty-sixth Legislature, providing that the tax collector of each county shall transmit on Monday of each week, to the State Highway Department, fifteen per cent of the gross registration, chauffeur and transfer fees during the preceding week, and deposit the remaining eighty-five per cent in the county depository to the credit of the road and bridge fund of the county, to be expended by the commissioners court as is now, providing that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county, and declaring an emergency and also amending Section 5, Chapter 190, Acts of the Regular Session of the Thirty-sixth Legislature so as to provide that all salaries of employes of the State Highway Department, including engineer, shall be fixed by the Legislature."

And find the same correctly engrossed.
SNEED, Chairman.

Committee Room,
Austin, Texas, February 9, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 298. A bill to be entitled "An Act to amend Article 5246f, Chapter 4, Title 77, Revised Civil Statutes of Texas, so as to permit employers and employees in contracts between the State, and political subdivisions of the State, to contract as to the hours of labor to be performed per day."

H. B. No. 320. A bill to be entitled "An Act to amend Sections 4, 40, 66, 80, 81, 82 and 100 of Chapter 87, Acts of the Regular Session of the Thirty-fifth Legislature, providing for organization and government of water improvement and irrigation districts, and acts amendatory of said Chapter 87, including Chapter 53 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 28, General Laws of the Second Called Session of the Thirty-sixth Legislature, and which sections relate, respectively: Section 4, to the mode of appeal from an order of the commissioners court in granting or dismissing petition for organization of a district; Section 40, the collection of delinquent taxes by suit, and fixing jurisdiction thereof; Section 66, providing for the sale of bonds of such district; Sections 80, 81 and 82, providing the method of organization of districts embracing lands in two or more counties; and Section 100, providing the method of the selection of depositories of such district; and which amendments to said Sections 4, 40, 66, 80, 81, 82 and 100 provide, respectively: Section 4, for appeals from an order of the county commissioners court in granting or refusing a petition for organization of a district, and that notice of appeal shall be given, and perfecting of appeal by filing of a bond at the time of filing same, and fixing amount of such bond, and providing that the judgment on appeal shall be certified to the commissioners court within ten days after same becomes final; Section 40, for providing taxes to be a lien against property assessed, and enforcement of same, suits for collecting, vesting jurisdiction in district court, and providing no limitation shall apply; Section 66, for providing the method of selling bonds of the district authorized by said Chapter 87, and the amount to be received therefor; Sections 80, 81 and 82, for providing the method of organization and government of districts embracing lands in two or more counties; Section 100, for the selection of depositories of any such district, and provid-

ing that if directors of said district should be interested in a bank bidding therefor, such selection shall be passed upon by the county judge of the county in which the depository is located; and by further amending said Chapter 87, General Laws of the Acts of the Regular Session of the Thirty-fifth Legislature and acts amendatory of said Chapter 87, including Chapter 53 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 28, General Laws of the Second Called Session of the Thirty-sixth Legislature, by the addition of new sections, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136 and 137, which new sections provide, respectively: Section 122, for the addition of land to a district to be taxed on basis of assessment of benefits; Section 123, for location of office of a district; Sections 124 to 130, inclusive, for the method of levying, assessing, equalizing, and collecting taxes by districts, adopting the assessment for benefit plan of taxation; Section 131, for providing for districts constituting conservation and reclamation districts adopting plan of levying taxes on a benefit basis instead of an ad valorem basis; Section 132, for providing for levy and collection of taxes on a benefit basis instead of an ad valorem basis by districts operating under contract with the United States, and the method of levying and collecting same; Section 133, for providing for sale of power privileges by such districts and the conditions thereof; Section 134, providing for assessment and collection of taxes by county officers in event of default therein by district officers, and providing district may avail itself of assessments and equalization made by county officers, and providing the method of handling same; Section 134, providing for sale of surplus water; Section 135, repealing Section 5a, Chapter 12, General Laws, Second Called Session, Thirty-fifth Legislature, and all laws in conflict with the provisions thereof; Section 137, emergency clause."

And find the same correctly engrossed.
SNEED, Chairman.

TWENTY-SECOND DAY.

(Continued.)

(Thursday, February 10, 1921.)

The House met at 10 o'clock a. m. and was called to order by Speaker Thomas.